

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND**

IN RE:
Leda Rodriguez

Debtor

Case No. 20-10132 (DF)
Chapter 7

**MOTION OF RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION
FOR RELIEF FROM THE AUTOMATIC STAY**

Rhode Island Housing and Mortgage Finance Corporation ("Lender"), pursuant to Bankruptcy Code §362(d), moves for relief from the automatic stay in order to permit it to exercise its rights, as provided to it under its promissory note and security documents, with respect to its collateral. In support of this motion, the Lender respectfully states as follows:

1. Leda Rodriguez (the "Debtor") has a mailing address of 46 Sterry Street, Pawtucket, Rhode Island 02860.
2. On January 31, 2020, the Debtor filed a chapter 7 petition for relief.
3. The Debtor is the owner of certain real estate located at 46 Sterry Street, Pawtucket, Rhode Island (the "Property").
4. The Lender is the holder of a mortgage on the Property in the original principal amount of \$99,750.00 given by the Debtor to Citizens Mortgage Corporation (the "Mortgage"). The Mortgage was assigned from Citizens Mortgage Corporation to the Lender.
5. The Mortgage secures a note given by the Debtor to Citizens Mortgage Corporation in the original principal amount of \$99,750.00. The Lender is now the holder of the note.
6. There is no other collateral securing the obligation owed to the Lender.
7. As of the date of the filing of this motion, the amount outstanding on the Loan obligation was not less than \$59,480.69. Such amount is still due and owing to the Lender.

8. There are the following encumbrances on the Property:

Name	Lien Type	Amount of Lien
Pawtucket Credit Union	Mortgage	\$137,676.60
Rhode Island Housing	Mortgage	\$ 59,480.69
Total		\$197,157.29

9. According to the Debtor's Schedules, the Property has a value of \$170,000.00.

10. As of the date of the filing of this motion, the Mortgage is due for the December 1, 2019 payment and all payments thereafter, for an approximate arrearage amount of \$4,177.35, exclusive of attorney's fees and costs incurred in connection with this bankruptcy proceeding.

11. The next regularly monthly payment is due on April 1, 2020 in the amount of \$1,026.00.

12. The Lender is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d)(1) and (2) because the Debtor has failed to remain current with payments to the Lender and there is no equity in the Property.

13. As may be required under federal law, you are hereby informed that this motion is filed and served by a debt collector.

WHEREFORE, Rhode Island Housing and Mortgage Finance Corporation, hereby requests that this Court grant it relief from the automatic stay so that it may exercise its right with respect to the Collateral identified herein, and such other and further relief as is sought here and that is just.

Rhode Island Housing and Mortgage Finance
Corporation,
By its Attorneys,

March 13, 2020

/s/ Elizabeth A. Lonardo
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NOTICE

Within fourteen (14) days after service of the foregoing paper, if served electronically, as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bankr. P. 9006(f) if you were served by mail or other excepted means specified, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Bankruptcy Court Clerk's Office, 380 Westminster Street, 6th Floor, Providence, RI 02903, (401) 626-3100. If no such objection or other response is timely filed, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court the interest of justice requires otherwise.

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CERTIFICATE OF SERVICE

I, Elizabeth A. Lonardo, hereby certify that this document was filed through the Court's ECF System and will be sent electronically to the registered participants as identified below:

Christopher Lefebvre

Gary L. Donahue

Stacy B. Ferrara

I further hereby certify that I have on this same date, served a copy of the document on the following non CM/ECF participants by first class mail, postage prepaid, at the address noted below:

Leda Rodriguez
46 Sterry Street
Pawtucket, RI 02860

Dated: March 13, 2020

/s/ Elizabeth A. Lonardo